

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MORGAN LEE BEADLE,

Plaintiff,

v.

DAVID SMOLICH,

Defendant.

CASE NO. 2:22-CV-515-JCC-DWC

ORDER GRANTING EXTENSION TO
FILE A SUBSTANTIVE REPLY

On March 31, 2023, Defendant David Smolich filed a Motion for Summary Judgment that was noted for the Court's consideration on April 28, 2023. Dkt. 40. Pursuant to Local Civil Rule 7, Plaintiff Morgan Lee Beadle's response to the Motion for Summary Judgment was due on or before April 24, 2023. Plaintiff did not file his response until April 27, 2023. Dkt. 47. Defendant filed a reply on April 28, 2023, requesting Plaintiff's response be stricken as untimely filed. Dkt. 48. In the alternative, Defendant requests an extension of time to file a substantive reply. *Id.*

The Court has considered the relevant record. Because Plaintiff is an incarcerated *pro se* filer, the Court declines to strike his response to the Motion for Summary Judgment. The Court,

1 however, will allow Defendant an extension of time to file a substantive reply. Defendant's reply
2 to Plaintiff's response to the Motion for Summary Judgment is due on or before May 12, 2023.

3 The Clerk is directed to re-note the Motion for Summary Judgment (Dkt. 40) to May 12,
4 2023. The Court notes if parties need additional time or have other requests for Court action,
5 they should request such relief in separately filed motions with the Court.

6 Dated this 9th day of May, 2023.

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9 David W. Christel
Chief United States Magistrate Judge
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